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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,064	11/08/2001	Anthony Edward Martinez	AUS920010926US1	6215

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12/29/2005

EXAMINER

HOSSAIN, FARZANA E

ART UNIT PAPER NUMBER

2617

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/007,064	Applicant(s) MARTINEZ ET AL.	
	Examiner Farzana E. Hossain	Art Unit 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01-31-02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Multi-media coordinated information system with multiple user devices and two interconnection networks.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 10, 11, 12, 20, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al (US 6,263,505).

Regarding Claims 1, 11, and 21, Walker disclose a method, a method that is for enabling coordinated sessions of a television (TV) program and a synchronized presentation from a network server; a medium containing machine readable code, the

code being selectively readable to provide program signals for executing a method for enabling coordinated sessions of a television program and a synchronized presentation from a network server, and a information management system (Figure 1), the method comprising: providing a synchronized data stream for being selectively transmitted by the network server (Figure 1, 70, 20), the synchronized data stream being selectively transmitted over a first interconnection network (figure 1, 20); providing the television program for being selectively transmitted over a second interconnection network (Figure 1, 10); and coordinating the synchronized data stream with the television program such that at any given time, content from the synchronized data stream corresponds to content presented in the television program (Figure 1, 40, 30, Column 7, lines 17-32). Walker discloses a medium located at a source of synchronized data of a TV program can have machine-readable code or a medium containing machine-readable code, the code being selectively readable to provide program signals for executing a method for enabling coordinated sessions of a television program and a synchronized presentation from a network server (Figure 1, 71, 73).

Regarding Claims 2 and 12, Walker discloses all the limitations of Claims 1 and 11 respectively. Walker discloses displaying the television program on a first display device (Figure 1, 30); and processing the synchronized data stream to effect a server-based presentation on a second display device (Figure 1, 40), the second display device being separate from the first display device (Figure 1, 30, 40).

Regarding Claims 10 and 20, Walker discloses all the limitations of Claims 1 and 11 respectively. Walker discloses that the first interconnection network is an Internet

connection (Column 7, lines 18-26) and the second interconnection network is a television transmission network (Column 6, lines 23-30).

4. Claims 1, 10, 11, 20, 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Ullman et al (US 2001/0037376 and hereafter referred to as "Ullman").

Regarding Claims 1, 11, and 21, Ullman disclose a method, a method that is for enabling coordinated sessions of a television program and a synchronized presentation from a network server; a medium containing machine readable code, the code being selectively readable to provide program signals for executing a method for enabling coordinated sessions of a television program and a synchronized presentation from a network server, and a information management system, and a information management system (Figure 2), the method comprising: providing a synchronized data stream for being selectively transmitted by the network server (Figure 1, 20, Figure 2, 28), the synchronized data stream being selectively transmitted over a first interconnection network (Figure 2, 20, 28); providing the television program for being selectively transmitted over a second interconnection network (Figure 2, 4, 36); and coordinating the synchronized data stream with the television program such that at any given time, content from the synchronized data stream corresponds to content presented in the television program (Figure 1, Figure 2). Ullman disclose a medium at a source (Figure 2, 4, 28). It is necessarily included that a medium located at a source whether of synchronized data or a TV program can have machine-readable code so that it can perform functions.

Regarding Claims 10 and 20, Ullman discloses all the limitations of Claims 1 and 11 respectively. Ullman discloses that the first interconnection network is an Internet connection (Figure 2, 20, 28) and the second interconnection network is a television transmission network (Figure 2, 36).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3, 6, 8, 13, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Harrison et al (US 6,249,914 and hereafter referred to as "Harrison").

Regarding Claim 3 and 13, Walker discloses all the limitations of Claims 1 and 11 respectively. Walker discloses displaying the television program on a first display device (Figure 1, 30); and coupling the synchronized data stream to a personal computer or a control device (Figure 1, 40). Walker is silent on the control device comprise a series of wireless control units with displaying means. Harrison discloses a personal computer or control device (Figure 10A, 35, Figure 11A, 35) comprising a series of wireless control units with each of the wireless control units or associated data

display and request input devices (Figure 10A, 200, Figure 11A) including a display means (Figure 7, 212); and using the synchronized data stream to effect a presentation on at least one of the display means of the wireless control units (Column 16, lines 26-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a control device comprising a series of wireless control units with each of the wireless control units or associated data display and request input devices (Figure 10A, 200, Figure 11A) including a display means (Figure 7, 212); and using the synchronized data stream to effect a presentation on at least one of the display means of the wireless control units (Column 16, lines 26-45) as taught by Harrison in order to allow consumers to access relevant data to broadcast programming with being time consuming (Column 1, lines 64-67, Column 2, lines 1-12) and to allow a consumer to access the data in a more comfortable setting by allowing the consumer to hold the device in his hand (Column 11, lines 26-29) as disclosed by Harrison.

Regarding Claim 6 and 16, Walker discloses all the limitations of Claims 1 and 11 respectively. Walker discloses displaying the television program on a first display device (Figure 1, 30); and coupling the synchronized data stream to a personal computer or a control device (Figure 1, 40). Walker is silent on the control device comprise a series of wireless control units with displaying means. Harrison discloses a personal computer or control device (Figure 10A, 35, Figure 11A, 35) comprising a series of wireless control units with each of the wireless control units or associated data display and request input devices (Figure 10A, 200, Figure 11A) including a display

means (Figure 7, 212). Harrison discloses using the synchronized data stream (Figure 10A) to effect presentations of associated data relevant to a program and synchronized to the program (Figure 10A, Figure 11A) on the multiple hand held devices (Column 10, lines 58-67, Column 11, lines 1-4). It would have been obvious to include in Harrison that concurrent presentations on more than one of the display means of the wireless control units as only relevant data to the program is synchronized on hand held devices (Column 16, lines 26-45) as taught by Harrison in order to allow consumers to access relevant data to broadcast programming with being time consuming (Column 1, lines 64-67, Column 2, lines 1-12) and to allow a consumer to access the data in a more comfortable setting by allowing the consumer to hold the device in his hand (Column 11, lines 26-29) as disclosed by Harrison. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker to include a control device (Figure 10A, 35, Figure 11A, 35) comprising a series of wireless control units with each of the wireless control units or associated data display and request input devices (Figure 10A, 200, Figure 11A) including a display means (Figure 7, 212) as taught by Harrison in order to allow consumers to access relevant data to broadcast programming with being time consuming (Column 1, lines 64-67, Column 2, lines 1-12) and to allow a consumer to access the data in a more comfortable setting by allowing the consumer to hold the device in his hand (Column 11, lines 26-29) as disclosed by Harrison.

Regarding Claim 8 and 18, Walker and Harrison disclose all the limitations of Claims 3 and 13 respectively. Harrison discloses enabling the control device to



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determine a channel selection at which the first display device is set, the control device being enabled to selectively transmit the channel selection to the server to identify a corresponding data stream from the server (Column 16, lines 38-42).

7. Claims 4, 5, 14, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Harrison as applied to claim 3 and 13 above, and further in view of Johnson (US 2002/0010941).

Regarding Claim 4 and 14, Walker and Harrison disclose all the limitations of Claims 3 and 13 respectively. Harrison discloses a wireless communication with control device (Column 11, lines 11-14). Walker and Harrison are silent on radio frequency communication. Johnson discloses transmitting the synchronized data stream to the wireless control unit over a radio frequency communication link from the control device (Page 3, paragraph 0040). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker in view of Harrison to include transmitting the synchronized data stream to the wireless control unit over a radio frequency communication link from the control device (Page 3, paragraph 0040) as taught by Johnson in order to allow consumers to access relevant data to broadcast programming in a more efficient manner (Page 1, paragraphs 0008-0010) as disclosed by Johnson.

Regarding Claim 5 and 15, Walker and Harrison disclose all the limitations of Claims 3 and 13 respectively. Harrison discloses a wireless communication with control device (Column 11, lines 11-14). Walker and Harrison are silent on radio frequency

communication. Johnson discloses transmitting the synchronized data stream to the wireless control unit over an infrared communication link from the control device (Page 4, paragraph 0046). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker in view of Harrison to include transmitting the synchronized data stream to the wireless control unit over an infrared communication link from the control device (Page 4, paragraph 0046) as taught by Johnson in order to allow consumers to access relevant data to broadcast programming in a more efficient manner (Page 1, paragraphs 0008-0010) as disclosed by Johnson.

8. Claims 7, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Harrison as applied to claim 6 and 16 above, and further in view of Allport (US 6,567,984).

Regarding Claim 7 and 17, Walker and Harrison disclose all the limitations of Claims 6 and 16 respectively. Walker and Harrison are silent on unsynchronized data streams. Allport discloses two displays including a TV with a connection to video and audio signals to display primary data or a TV program (Figure 2, 80, 85) and a hand held device with a connection to the Internet to display supplemental data (Figure 2, 10, 95). Allport discloses that the web or Internet can be surfed or searched for unsynchronized data provided by the server as well as synchronized data or number of relatively unsynchronized data streams are provided by the server in addition to the synchronized data stream, and wherein any of the display means is enabled to display

presentations based on any of the synchronized and the unsynchronized data streams (Figure 1, 10, Column 6, lines 52-55, lines 63-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker in view of Harrison to include number of relatively unsynchronized data streams are provided by the server in addition to the synchronized data stream, and wherein any of the display means is enabled to display presentations based on any of the synchronized and the unsynchronized data streams (Figure 1, 10, Column 6, lines 52-55, lines 63-65) as taught by Allport in order to enhance viewing of data streams on two separate displays with interference efficient manner and to integrate programming with the Internet (Column 1, lines 37-49, Column 3, lines 44-48) as disclosed by Allport.

9. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Harrison as applied to claim 6 and 16 above, and further in view of Marcis et al (US 6,862,611 and hereafter referred to as "Marcis").

Regarding Claim 9 and 19, Walker and Harrison disclose all the limitations of Claims 6 and 16 respectively. Walker and Harrison are silent on touch sensitive display screens. Marcis discloses a system with a computer display (Figure 2, 42) with an Internet connection (Column 4, lines 45-56) and TV display (Figure 2, 40) with a signal source (Figure 2, 24) so that a television program and related content can be displayed separately. Marcis discloses display means comprise touch-sensitive display screens by which users are enabled to make selections by applying pressure to selected display screen areas or having a touch screen capability (Column 6, lines 39-45, Figure 2, 36).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker in view of Harrison to include that the display means comprise touch-sensitive display screens by which users are enabled to make selections by applying pressure to selected display screen areas or having a touch screen capability (Column 6, lines 39-45, Figure 2, 36) as taught by Marcis in order to allow consumers to access relevant data to broadcast programming in a more efficient manner and to integrate programming with the Internet (Column 1, lines 13-18, lines 51-53) as disclosed by Marcis.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sampsell (US 2002/0057209), Mitchell (US 2002/0162120).

Sampsell discloses a display remote control with access to Internet and cable television; the display remote is mounted in a docking station and receives image signals from the docking station (Figures 1, 2, 8, 12).

Mitchell discloses a display remote that displays supplemental content (Figure 2) and can connect to the Internet (Figure 5).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-

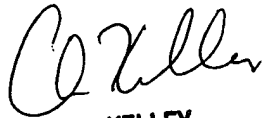
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272-5943. The examiner can normally be reached on Monday to Friday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FEH  
December 20, 2005

  
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